

## UNITED STATES PATENT AND TRADEMARK OFFICE

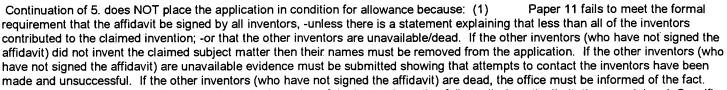
UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Viginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/677,344	10/02/2000	Balakrishnan Sridhar	327 3540	
7:	590 08/12/2003			
Ciena Corporation Legal Department 1201 Winterson Rd			EXAMINER	
			CUNNINGHAM, STEPHEN C	
Linthicum, MD 21090			ART UNIT	PAPER NUMBER
			3663	
			DATE MAILED: 08/12/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.

•	Application No.	Applicant(s)
Advisory Action	09/677,344	SRIDHAR ET AL.
•	Examiner	Art Unit
	Stephen C. Cunningham	3663
The MAILING DATE of this communication appe	ars on the cover sheet with the c	correspondence address
THE REPLY FILED 30 July 2003 FAILS TO PLACE THI Therefore, further action by the applicant is required to a final rejection under 37 CFR 1.113 may only be either: (1 condition for allowance; (2) a timely filed Notice of Appea Examination (RCE) in compliance with 37 CFR 1.114.	void abandonment of this applic 1) a timely filed amendment whi	cation. A proper reply to a ich places the application in
PERIOD FOR RE	PLY [check either a) or b)]	
<ul> <li>a)</li></ul>	isory Action, or (2) the date set forth in th an SIX MONTHS from the mailing date o FILED WITHIN TWO MONTHS OF THI	f the final rejection. E FINAL REJECTION. See MPEP
Extensions of time may be obtained under 37 CFR 1.136(a). The dath nave been filed is the date for purposes of determining the period of extens 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened (b) above, if checked. Any reply received by the Office later than three mote parned patent term adjustment. See 37 CFR 1.704(b).	sion and the corresponding amount of the statutory period for reply originally set in	e fee. The appropriate extension fee under the final Office action; or (2) as set forth in
<ol> <li>A Notice of Appeal was filed on Appellant's 37 CFR 1.192(a), or any extension thereof (37 CFI</li> </ol>	•	
2. The proposed amendment(s) will not be entered be	ecause:	
(a)   they raise new issues that would require further	er consideration and/or search (	(see NOTE below);
(b) they raise the issue of new matter (see Note b	pelow);	
(c) they are not deemed to place the application i issues for appeal; and/or	n better form for appeal by mat	erially reducing or simplifying the
(d)  they present additional claims without cancel	ing a corresponding number of	finally rejected claims.
NOTE:		
$3.\square$ Applicant's reply has overcome the following rejection	tion(s):	
<ol> <li>Newly proposed or amended claim(s) would canceling the non-allowable claim(s).</li> </ol>	be allowable if submitted in a s	separate, timely filed amendment
5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request fo application in condition for allowance because: See		sidered but does NOT place the
6. The affidavit or exhibit will NOT be considered becaused by the Examiner in the final rejection.	cause it is not directed SOLELY	to issues which were newly
7. For purposes of Appeal, the proposed amendment explanation of how the new or amended claims we		
The status of the claim(s) is (or will be) as follows:		
Claim(s) allowed:		
Claim(s) objected to:		
Claim(s) rejected:		
Claim(s) withdrawn from consideration:		
8. The proposed drawing correction filed on is	a) ☐ approved or b) ☐ disapp	proved by the Examiner.
9. Note the attached Information Disclosure Statemen	nt(s)( PTO-1449) Paper No(s).	<del>.</del>
10. ☐ Other:		
		MARKHELLNER
	,	Mark Tellu
·		THUR HELLIN





(2) Evidence submitted demonstrating prior invention of the instant invention fails to disclose the limitations as claimed. Specificall the Taylor reference is used to reject the limitations -

Said control circuit including:

an attenuator offset value storage device operatively connected to said control circuit, said attenuator offset value storage devic storing an attenuator offset value:

said control circuit inputting the attenuator offset value from said attenuator offset value storage device and outputting the attenuation control signal in response to the input optical power, the dispersion compensating element loss value and the attenuator offset value.

The only reference to the limitations similar to the claimed limitation occurs in exhibit 1 (labeled "page 10") stating, "The attenuator offse level is stored internally and is defined as the attenuator offset." This statement makes no mention of the control circuit's interaction with the attenuator offset value storage device.